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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF HAWAII

MILTON K. KAOPUA,) CIVIL NO. CV04 00723 JMS / KSC
Plaintiff,)
VS.) Errata To: Plaintiff's Memorandum In
FEDERAL FIRE DEPARTMENT;) Opposition to Defendants' Motion to
DONALD C. WINTER, Secretary,) Dismiss or In the Alternative, For
Department of the Navy,) Summary Judgment Filed March 15,
Defendants.) 2006, filed on July 3, 2006 [Table of
) Authorities]; Certificate of Service
)
) DATE: July 18, 2006
) TIME: 10:00 a.m.
	JUDGE: J. Michael Seabright

H:\CLIENTS\Kaopua\Plead - USDC\07-10-06 Errata to Plaintiff's Memo In Oppo to Deft's Mtn to Dismiss.wpd

ERRATA TO: PLAINTIFF'S MEMORANDUM IN OPPOSITION TO DEFENDANTS' MOTION TO DISMISS OR IN THE ALTERNATIVE, FOR SUMMARY JUDGMENT FILED MARCH 15, 2006, filed on July 3, 2006 [Table of Authorities]

Plaintiff, by and through his counsel, apologizes for several minor errors in the original Table of Authorities, which are corrected and attached here.

Dated: Honolulu, Hawaii, July 10, 2006.

/s/ Elbridge W. Smith Elbridge W. Smith Attorney for Plaintiff

TABLE OF AUTHORITIES U.S. SUPREME COURT CASES 9TH CIRCUIT COURT OF APPEAL CASES Barnett v. U.S. Air, Inc., 228 F.3d 1105 (9th Cir. 2000) Lawson v. State of Washington, et al., Pet., 296 F.3d 799 (9th Cir., February 7, 2003) 17,25 Sischo-Nownejad v. Merced Community College District, 934 F.2d 1104 (9th Cir. 1991) ... 12 OTHER CIRCUIT COURTS OF APPEAL'S CASES

FEDERAL ADMINISTRATIVE CASES
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Marriott v. Postmaster General, EEOC No. 01994803 (2001)
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Ruiz v. USPS, EEOC Request No. 05880859 (1990)
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Southerland v. Postmaster General, EEOC No. 05930714 (1994)
Steele v. General Services Administration, EEOC No. 01933171(1994)
FEDERAL STATUTES AND REGULATIONS:
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Americans with Disabilities Act ("ADA") The Civil Rights Act of 1964 Title VII Rehabilitation Act of 1973 42 U.S.C. § 2000e-16(c) 42 U.S.C. § 12102(2) 29 U.S.C. § 791 20 29 U.S.C. § 1614.105(a)(1) 29 C.F.R. § 1614.105(a)(2) 29 C.F.R. § 1614.107(a)(2) 29 C.F.R. § 1614.109(g) 27 29 C.F.R. § 1614.203(a)

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF HAWAII		
•) CIVIL NO. CV04 00723 JMS / KSC	
vs. FEDERAL FIRE DEPARTMENT; DONALD C. WINTER, Secretary, Department of the Navy, Defendants.	CERTIFICATE OF SERVICE)))	
CERTIFICATE OF SERVICE		

I HEREBY CERTIFY that, on the date and by the method of service noted below, a true and correct copy of the foregoing was served upon the following at their last known address:

Served Electronically through CM/ECF:

R. Michael Burke <u>Mike.Burke@usdoj.gov</u>

Dated: Honolulu, Hawaii, July 10, 2006.

Marcelle L. Arakaki

Legal Assistant to Elbridge W. Smith

Attorney for Plaintiff